

1 AN ACT relating to board of education employee insurance.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 161.158 is amended to read as follows:

- 4 (1) (a) Each district board of education may form its employees into a group or
5 groups or recognize existing groups for the purpose of obtaining the
6 advantages of group life, disability, medical, and dental insurance, or any
7 group insurance plans to aid its employees including the state employee health
8 insurance group as described in KRS 18A.225 to 18A.2287, as long as the
9 employees continue to be employed by the board of education.
- 10 ***(b)*** Medical and dental group insurance plans obtained under authority of this
11 section may include insurance benefits for the families of the insured group or
12 groups of employees.
- 13 ***(c)*** Any district board of education may pay all or part of the premium on the
14 policies, and may deduct from the salaries of the employees that part of the
15 premium which is to be paid by them and may contract with the insurer to
16 provide the above benefits.
- 17 ***(d) Each district board of education is authorized to organize, maintain, and***
18 ***offer a cafeteria plan of benefits to its employees, which may include***
19 ***qualifying group insurance plans obtained under authority of this section,***
20 ***in accordance with 26 U.S.C. sec. 125. Any group insurance plans that may***
21 ***be offered to board employees, other than the state employee health***
22 ***insurance program as described in KRS 18A.225 to 18A.2287 and the group***
23 ***life insurance procured under KRS 18A.205 to 18A.215, shall be obtained,***
24 ***arranged, contracted for, procured, or otherwise made available to***
25 ***employees by a board in accordance with applicable law and board policy.***
- 26 ***(e)*** As permitted in KRS 160.280(4), board members shall be eligible to
27 participate in any group medical or dental insurance provided by the district

1 for employees.

2 (2) ~~(a)~~~~(b)~~ If a district board of education participates in the state employee health
3 insurance program, as described in KRS 18A.225 to 18A.2287, for its active
4 employees and terminates participation and there is a state appropriation
5 approved by the General Assembly for the employer's contribution for active
6 employees' health insurance coverage, neither the board of education nor the
7 employees shall receive the state-funded contribution after termination from
8 the state employee health insurance program.

9 (b)~~(c)~~ If a district board of education participates in the state employee health
10 insurance program as described in KRS 18A.225 to 18A.2287 for its active
11 employees, all district employees who are required to be offered health
12 insurance coverage for purposes of, and in accordance with, the federal Patient
13 Protection and Affordable Care Act of 2010, Pub. L. No. 111-148, shall be
14 eligible for the state-funded contribution appropriated by the General
15 Assembly for the employer's contribution for active employees' health
16 insurance coverage.

17 (3)~~(2)~~ (a) Each district board of education shall adopt policies~~—or—regulations~~
18 which will provide for:

- 19 1. a. Deductions from salaries of its employees or groups of employees
20 whenever a request is presented to the board by said employees or
21 groups thereof.
- 22 b. The deductions shall be made from salaries earned in at least eight
23 (8) different pay periods.
- 24 c. The deductions may be made for, but are not limited to,
25 membership dues, tax-sheltered annuities, and group insurance
26 premiums.
- 27 d. The district board is prohibited from deducting membership dues

1 of an employee organization, membership organization, or labor
2 organization without the express written consent of the employee.
3 Express written consent of the employee may be revoked in
4 writing by the employee at any time. This provision shall apply to
5 contracts entered into, opted in, extended or renewed on or after
6 January 9, 2017.

- 7 e. With the exception of membership dues, the board shall not be
8 required to make more than one (1) remittance of amounts
9 deducted during a pay period for a separate type of deduction; and
- 10 2. Deductions from payments for the per diem and actual expenses
11 provided under KRS 160.280(1) to members of the district board of
12 education whenever a request is presented by a board member to the
13 board. The deductions may be made for but not be limited to
14 membership dues, group~~health~~ insurance purchases, scholarship funds,
15 and contributions to a political action committee.
- 16 (b) The deductions under paragraph (a)1. and 2. of this subsection shall be
17 remitted to the appropriate organization or association as specified by the
18 employees within thirty (30) days following the deduction, provided the
19 district has received appropriate invoices or necessary documentation.
- 20 (c) Health insurance, life insurance, and tax-sheltered annuities shall be
21 interpreted as separate types of deductions. When amounts have been
22 correctly deducted and remitted by the board, the board shall bear no further
23 responsibility or liability for subsequent transaction.
- 24 (3) Payments and deductions made by the district board of education under the
25 authority of this section are presumed to be for services rendered and for the benefit
26 of the common schools, and the payments and deductions shall not affect the
27 eligibility of any school system to participate in the public school funding program

1 as established in KRS Chapter 157.